

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2804 OF 2006

Mr. Pradeep Narottam Harsora ... Petitioner

V/s.

Mr. Haji Peer Khan & Ors. ... Respondent

Mr. Ashish Sharma for the Petitioner.
Mr. M.S. Mhambre, A.P.P. for State.

**CORAM : SMT. RANJANA DESAI &
ANOOP V. MOHTA, JJ.**

DATED : 1st March, 2007.

P.C.

. Heard learned Counsel for the petitioner and the learned A.P.P. for the State. Admittedly, the learned Magistrate has passed the order that fresh investigation be carried out and report be submitted to him. The learned A.P.P. on instructions from Mr. Vijay A. Shinde, A.P.I. of D.B. Marg Police Station states that accordingly investigation is being carried out and within a week's time report will be submitted to the learned Magistrate. Needless to say that on the said report being submitted, the learned Magistrate shall deal with it in accordance with law after giving a hearing to the petitioner/complainant. We make it clear that we are keeping the contentions

of both sides open.

2. In the circumstances of the case, we direct the learned Magistrate to pass appropriate order on the report submitted by the police within a period of 3 weeks from the date of filing such report.

3. With the above observations, petition is disposed of.

[SMT. RANJANA DESAI, J.]

[ANOOP V. MOHTA, J.]